



Practitioner's Docket No. 6652.US.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: D. A. Katz, *et al.*

Application No.: 09/747,538

Group No.: 1645

Filed: December 21, 2001

Examiner: Not Assigned

For: AMPLIFICATION BASED POLYMORPHISM DETECTION

Assistant Commissioner for Patents

Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

1. Attached is a copy of the Official *Filing Receipt* received from the PTO in the above application for which issuance of a Corrected *Filing Receipt* is respectfully requested.
2. There is an error with respect to the following, which was incorrectly entered:

---

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

- ☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: 04/11/01

Signature *Julie Freeman*

JULIE FREEMAN  
(type or print name of person certifying)



**Error in**

**Correct data**

1. Filing Date

1. December 21, 2000

3. Applicant(s) respectfully request a Corrected *Filing Receipt* to reflect this change.

4. Complete the following applicable item A or B)

A. ☒ The correction(s) is/are not due to any error by applicant and no fee is due.

**OR**

B. ☐ At least one of the above corrections is due to Applicant's error and the fee therefor under 37 CFR 1.19(h) of \$25.00 is paid as follows:

☐ Charge Deposit Account \_\_\_\_\_ \$25.00

**SIGNATURE OF PRACTITIONER**

Abbott Laboratories  
D377/AP6D  
100 Abbott Park Road  
Abbott Park, IL 60064-6050  
Telephone: (847) 938-3508  
Facsimile: (847) 938-2623

Paul D. Yasger  
Reg. No.: 37,477  
Attorney for Applicant(s)

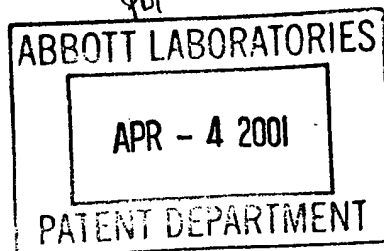


## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/747,538	12/22/2000	1645	1016	6652.US.01		37	3

Steven F. Weinstock  
ABBOTT LABORATORIES  
D-377/AP6D  
100 Abbott Park Road  
Abbott Park, IL 60064-6050



CONFIRMATION NO. 2085

## FILING RECEIPT



\*OC00000005914490\*

Date Mailed: 03/29/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

David Aaron Katz, Evanston, IL;  
Maria C. Gentile-Davey, Pleasant Prairie, WI;  
Jeffrey B. Huff, Park Ridge, IL;  
Michael C. Cornwell, Skokie, IL;  
Hong Yu, Long Grove, IL;

## Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/173,699 12/30/1999

## Foreign Applications

If Required, Foreign Filing License Granted 03/28/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Amplification based polymorphism detection

**Preliminary Class**

435

---

Data entry by : GENET, YODIT

Team : OIPE

Date: 03/29/2001



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231



**POST OFFICE  
TO ADDRESSEE**



\*EL384205154US\*

**EL384205154US**

**SEE REVERSE SIDE FOR  
SERVICE GUARANTEE AND LIMITS  
ON INSURANCE COVERAGE**

**Customer Copy**  
Label 11-F July 1997

ORIGIN (POSTAL USE ONLY)			
PO ZIP Code	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>	
Date In Mo. Day Year	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 15.75	
Time In <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	
Weight lbs. ozs.	Int'l Alpha Country Code	COD Fee	Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials S. H.	Total Postage & Fees \$ 15.75	

**CUSTOMER USE ONLY**

**METHOD OF PAYMENT:**

Express Mail Corporate Acct. No.

Federal Agency Acct. No. or  
Postal Service Acct. No.

☐ **WAIVER OF SIGNATURE** (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

☐ **NO DELIVERY** ☐ Weekend ☐ Holiday

Customer Signature

**FROM: (PLEASE PRINT)**

PHONE ( )

ABBOTT LABORATORIES  
DEPT 377AF60/2  
100 ABBOTT PARK RD  
ABBOTT PARK

IL 60064-6050

**TO: (PLEASE PRINT)**

PHONE ( )

BOX PATENT APPLICATION  
ASSISTANT COMMISSIONER  
FOR PATENTS  
WASHINGTON

DC 20231-0001

**PRESS HARD.**

You are making 3 copies.

**FOR PICKUP OR TRACKING CALL 1-800-222-1811**

**www.usps.gov**





6652.US.01

PDY/jf/ADD

12/21/00

Patent Office Mail Room: Will you please affix the Patent Office Stamp and return this card to acknowledge receipt of the following documents:

Applicants: D. A. Katz

Serial No.:

Filing Date: December 21, 2000

Title: AMPLIFICATION BASED POLYMORPHISM DETECTION

1. Utility Patent Application Transmittal, in duplicate
2. Specification (20 Pages); Claims (7 Pages); Abstract (1 Pages)  
Sequence Listing (7 Pages) 35 Total Pages
3. Fee Transmittal, in duplicate
4. Declaration and Power of Attorney (Unexecuted)
4. Return Receipt Postcard



All mailed to the Patent and Trademark Office by Express Mail Label No. EL384205154US on December 21, 2000.





Please type a plus sign (+) inside this box → ☒

Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. **6652.US.01**

First Inventor or Application Identifier **D. A. Katz**

Title **AMPLIFICATION BASED POLYMORPHISM DETECTION**

Express Mail Label No. **EL384205154US**

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages **28**]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets ☐
4. Oath or Declaration [Total Pages ☐- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Box 16 completed)
  - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

\* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.29).

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☒ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☐ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
13. ☐ \* Small Entity Statement(s) ☐ Statement filed in prior application  
(PTO/SB-08-12) Status still proper and desired
14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
15. ☒ Other: Declaration and Power of Attorney (Unexecuted)

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

Group / Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

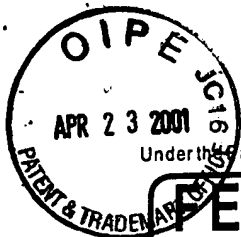
or ☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	Steven F. Weinstock				
	ABBOTT LABORATORIES				
Address	D-377/AP6D				
	100 Abbott Park Road				
City	Abbott Park	State	IL	Zip Code	60064-6050
Country		Telephone	(847) 937-8272	Fax	(847) 938-2623

Name (Print/Type)	Paul D. Yasger	Registration No. (Attorney/Agent)	33,477
Signature		Date	12/21/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



# FEE TRANSMITTAL for FY 1999

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

TOTAL AMOUNT OF PAYMENT (\$)**1,016.00**

## Complete if Known

Application Number	
Filing Date	December 21, 2000
First Named Inventor	D. A. Katz
Examiner Name	
Group / Art Unit	
Attorney Docket No.	6652.US.01

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number **01-0025**  
Deposit Account Name

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☐ Payment Enclosed:  
☐ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
101 760 201 380		Utility filing fee	710.00
106 310 206 155		Design filing fee	
107 480 207 240		Plant filing fee	
108 760 208 380		Reissue filing fee	
114 150 214 75		Provisional filing fee	

SUBTOTAL (1) (\$)**710.00**

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
37	-20** = 17	X 18.00	= 306.00
Independent Claims	3	-3** = 0	X = 0.00
Multiple Dependent			= 0.00

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Small Entity Fee Code	Fee Description
103 18 203 9		Claims in excess of 20
102 78 202 39		Independent claims in excess of 3
104 260 204 130		Multiple dependent claim, if not paid
109 78 209 39		**Reissue independent claims over original patent
110 18 210 9		**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**306.00**

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
105 130 205 65		Surcharge - late filing fee or oath	
127 50 227 25		Surcharge - late provisional filing fee or cover sheet.	0.00
139 130 139 130		Non-English specification	
147 2,520 147 2,520		For filing a request for reexamination	
112 920* 112 920*		Requesting publication of SIR prior to Examination	
113 1,840* 113 1,840*		Requesting publication of SIR after Examination	
115 110 215 55		Extension for reply within first month	
116 380 216 190		Extension for reply within second month	
117 870 217 435		Extension for reply within third month	
118 1,360 218 680		Extension for reply within fourth month	
128 1,850 228 925		Extension for reply within fifth month	
119 300 219 150		Notice of Appeal	
120 300 220 150		Filing a brief in support of an appeal	
121 260 221 130		Request for oral hearing	
138 1,510 138 1,510		Petition to institute a public use proceeding	
140 110 240 55		Petition to revive - unavoidable	
141 1,210 241 605		Petition to revive - unintentional	
142 1,210 242 605		Utility issue fee (or reissue)	
143 430 243 215		Design issue fee	0.00
144 580 244 290		Plant issue fee	0.00
122 130 122 130		Petitions to the Commissioner	
123 50 123 50		Petitions related to provisional applications	0.00
126 240 126 240		Submission of Information Disclosure Stmt	
581 40 581 40		Recording each patent assignment per property (times number of properties)	
146 760 246 380		Filing a submission after final rejection (37 CFR 1.129(a))	
149 760 249 380		For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Typed or Printed Name **Paul D. Yasger**

Signature

Date **12/21/00**

## Complete (if applicable)

Reg. Number **37,477**

Deposit Account User ID

**FILE COPY**

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov



Bib Data Sheet

CONFIRMATION NO. 2085

<b>SERIAL NUMBER</b> 09/747,538	<b>FILING DATE</b> 12/21/2000 <b>RULE</b>	<b>CLASS</b> 435	<b>GROUP ART UNIT</b> 1645	<b>ATTORNEY DOCKET NO.</b> 6652.US.01
------------------------------------	---	---------------------	-------------------------------	--

**APPLICANTS**

David Aaron Katz, Evanston, IL;  
Maria C. Gentile-Davey, Pleasant Prairie, WI;  
Jeffrey B. Huff, Park Ridge, IL;  
Michael J. Cornwell, Skokie, IL;  
Hong Yu, Long Grove, IL;

**RECEIVED****JUL 06 2001****TECH CENTER 1600/2900****\*\* CONTINUING DATA \*\*\*\*\***

THIS APPLN CLAIMS BENEFIT OF 60/173,699 12/30/1999

**\*\* FOREIGN APPLICATIONS \*\*\*\*\***

**IF REQUIRED, FOREIGN FILING LICENSE**  
**GRANTED \*\* 03/28/2001**

Foreign Priority claimed ☐ yes ☐ no  
35 USC 119 (a-d) conditions ☐ yes ☐ no ☐ Met after  
met Allowance  
Verified and Acknowledged  
Examiner's Signature Initials

**STATE OR COUNTRY**  
IL

**SHEETS DRAWING**

**TOTAL CLAIMS**  
37

**INDEPENDENT CLAIMS**  
3

**ADDRESS**

Steven F. Weinstock  
Abbott Laboratories  
D-377/AP6D  
100 Abbott Park Road  
Abbott Park, IL 60064-3500

**TITLE**

Amplification based polymorphism detection

**FILING FEE RECEIVED**  
1146

FEES: Authority has been given in Paper  
No. \_\_\_\_\_ to charge/credit DEPOSIT ACCOUNT  
No. \_\_\_\_\_ for following:

☐ All Fees☐ 1.16 Fees ( Filing )☐ 1.17 Fees ( Processing Ext. of time )☐ 1.18 Fees ( Issue )☐ Other \_\_\_\_\_☐ Credit

Receipt



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: D. A. Katz, et al.

Group Art No.: 1645

Serial No.: 09/747,538

Examiner: Not Yet Assigned

Filed: December 21, 2000

Title: AMPLIFICATION BASED  
POLYMORPHISM DETECTION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Case No.: 6652.US.01

Assistant Commissioner for Patents  
Washington, D.C. 20231, on:

Date of Deposit: April 11, 2001

*Julie Freeman* 04-11-01  
Julie Freeman

RECEIVED

JUL 06 2001

TECH CENTER 1600/2900

TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed herewith is a Request For Corrected Filing Receipt for the patent application identified above entitled AMPLIFICATION BASED POLYMORPHISM DETECTION. Also enclosed are the following:

1. Copy of Official Filing Receipt (Form PTO 103X);
2. Copy of the Postcard dated December 21, 2000;
3. Copy of the Utility Patent Application Transmittal dated December 21, 2000 (page 1);
4. Copy of the Fee Transmittal dated December 21, 2000;
5. Copy of the Express Mail Airbill dated December 21, 2000; and
6. Return Receipt Postcard

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37 CFR 1.17 associated with this communication for which full payment had not been tendered, to Deposit Account No. 01-0025.

Dated: April 11, 2001

Respectfully submitted,  
D. A. Katz, et al.

ABBOTT LABORATORIES  
D-0377/AP6D-2  
100 Abbott Park Road  
Abbott Park, IL 60064-6050  
Telephone: (847) 938-3508  
Facsimile: (847) 938-2623

*Paul D. Yarger*  
Paul D. Yarger  
Registration No. 37,477  
Attorney for Applicants